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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
|--|-------------|----------------------|-------------------------|------------------------|
| 10/531,768   | 04/19/2005  | Tohru Watanabe       | 81784.0328              | 6028                   |
| 26021 7590 12/31/2007<br>HOGAN & HARTSON L.L.P.<br>1999 AVENUE OF THE STARS<br>SUITE 1400<br>LOS ANGELES, CA 90067 |             |                      | EXAMINER<br>HSU, AMY R  |                        |
|  |             |                      | ART UNIT<br>2622        | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>12/31/2007 | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/531,768             | WATANABE, TOHRU     |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Amy Hsu                | 2622                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/19/2005</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2 rejected under 35 U.S.C. 102(e) as being anticipated by Nakajima et al. (US 7068314).

Regarding Claim 1, Nakajima teaches an image data processing apparatus for performing a predetermined signal processing on input image data and generating output data for supplying to an external apparatus (*Fig. 2 shows a signal processing system for a camera taking input image data from an image sensor. The output from the signal processing system inherently is supplied to an apparatus external to the processing apparatus such as a viewfinder or display monitor*), the image data processing apparatus comprising: a first processing circuit for performing a first signal

processing with respect to image data so as to produce a first set of image data (*Fig. 2 reference number 140*); and a second processing circuit for performing with respect to the image data a second signal processing, which is independent from the first signal processing, so as to produce a second set of image data (*Fig. 2 reference number 160*); wherein the first and second processing circuits execute the first and second signal processing in a parallel manner (*Fig. 2 the first process and the second process circuits are shown in parallel. Fig. 7 also shows the signal coming from the input being split into the two processing circuits in parallel*), and output the first and second sets of image data as output data (*Fig. 7 arrows out of reference numbers 40 and 60 indicate the output data*).

Regarding Claim 2, Nakajima teaches the image data processing apparatus as defined in claim 1, wherein the first set of image data and the second set of image data differ from one another in at least one of bit length, pixel density, or frame rate (*Image data out of the front end circuit, Fig. 2 reference number 103 is digital and one of ordinary skill in the art realizes that the amount of data, or bits necessary for chromatic processing far exceeds the bit length of brightness processing and therefore the image data for the two processes indicated in Fig. 2 differ by bit length*).  
*at least one of*

### **Allowable Subject Matter**

3. Claims 3-6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims. The prior art teaches image processing apparatus with two image processing circuits which process data in parallel for output to an external apparatus. However the prior fails to teach the first processing circuit comprising specifically a first filter to generate luminance data with a gamma corrector and first contour emphasize, and the second processing circuit having a second filter and second contour emphasize.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Safai (US 2003/0048361) teaches a digital camera with programmable processor including two processors in the system.

Toyoda et al. (US 7136097) teaches a photodetector array and image processing unit including a plurality of processing circuits.

Horii (US 6018363) teaches an image taking apparatus with two processing circuits outputting two separate sets of luminance data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy Hsu whose telephone number is 571-270-3012. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

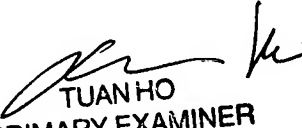
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amy Hsu  
Examiner  
Art Unit 2622

ARH 12/13/07

  
TUAN HO  
PRIMARY EXAMINER